



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

9 September 2011

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "76 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility. Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.nasa.gov/offices/rrac/home/>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

AB = Assembly Bill
 ARB = Air Resources Board
 ATCM = Air Toxic Control Measure
 ATSDR = Agency for Toxic Substances and Disease Registry
 BAT = Best available technology
 Btu = British thermal unit
 CAA = Clean Air Act
 CaRFG = California Reformulated Gasoline
 CAS = Chemical Abstracts Service
 CCR = *California Code of Regulations*
 CERCLA = Comprehensive Environmental Response, Compensation, and Liability Act
 CFR = *Code of Federal Regulations*
 CO = Carbon monoxide
 CO₂ = Carbon dioxide
 COMAR = *Code of Maryland Regulations*
 CRNR = California Regulatory Notice Register
 CSO = Construction safety order
 DAPC = Division of Air Pollution Control
 D/DBPR = Disinfectants and Disinfection Byproducts Rule
 DMHW = Division of Materials and Hazardous Waste
 DTSC = Division of Toxic Substances Control
 EPA = U.S. Environmental Protection Agency
 F.A.C. = Florida Administrative Code
 FAQ = Frequently Asked Questions
 FAW = *Florida Administrative Weekly*
 FDEP = Florida Department of Environmental Protection
 FFEO = Federal Facilities Enforcement Office
 FGC = Federal Green Challenge
 FIP = Federal Implementation Plan
 FR = *Federal Register*
 FY = Fiscal year
 GHG = Greenhouse gas
 GISO = General Industry Safety Orders
 hp = Horsepower
 HW = Hazardous waste
 IRIS = Integrated Risk Information System
 ISOR = Initial Statement of Reason
 LNAPL = Light, nonaqueous-phase liquid
 MAB = Mississippi Administrative Bulletin
 Md.R. = *Maryland Register*
 MOA = Memorandum of Agreement
 NAAQS = National Ambient Air Quality Standards

NASA = National Aeronautics and Space Administration
 NMAC = New Mexico Administrative Code
 NOAA = National Oceanographic and Atmospheric Administration
 NO_x = Nitrogen oxides
 NPDES = National Pollutant Discharge Elimination System
 OAC = Ohio Administrative Code
 OEPA = Ohio Environmental Protection Agency
 OEHHA = Office of Environmental Health Hazard Assessment
 PM = Particulate matter
 PM_{2.5} = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less
 PM₁₀ = Particulate matter having an aerodynamic equivalent diameter of 10 microns or less
 PSD = Prevention of significant deterioration
 RACT = Reasonable available control technology
 RCRA = Resource Conservation and Recovery Act
 RDX = Royal Demolition Explosive
 RIN = Regulatory Identification Number
 RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
 SCAQMD = South Coast Air Quality Management District
 SIP = State Implementation Plan
 SOP = Standard operating procedure
 TAC = Texas Administrative Code
 TCEQ = Texas Commission Environmental Quality
 TexReg = *Texas Register*
 TMDL = Total maximum daily load
 TRU = Transport refrigeration unit
 TSCA = Toxic Substances Control Act
 U.S. = United States
 USDA = U.S. Department of Agriculture
 VAC = Virginia Administrative Code
 VA.R = *Virginia Register*
 VCP = Virginia Coastal Zone Management Program
 VDEQ = Virginia Department of Environmental Quality
 VOC = Volatile organic compound
 VPDES = Virginia Pollution Discharge Elimination System
 VSMP = Virginia Stormwater Management Permit
 WCF = Waste combustible fluid
 WFF = Wallops Flight Facility

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and related operations.

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED090911-1	Air FIP-Ozone	09/01/2011	76 FR 54465	Notice	<p>U.S. Environmental Protection Agency Proposed Settlement Agreement, Clean Air Act Citizen Suit</p> <p>Announces a proposed settlement agreement related to FIPs for meeting applicable 1997 8-hour ozone NAAQS in several states, including the following:</p> <ul style="list-style-type: none"> ▪ Florida ▪ Maryland ▪ Virginia <p>In addition, the proposed settlement agreement requires EPA to take action, as appropriate, on a petition for a rulemaking related to existing SIP provisions. Comments due 10/03/2011.</p>	
FED090911-2	Air NAAQS-CO	08/31/2011	76 FR 54293	Final Rule	<p>U.S. Environmental Protection Agency Review of National Ambient Air Quality Standards for Carbon Monoxide [40 CFR Parts 50, 53, and 58]</p> <p>Concludes the following:</p> <ul style="list-style-type: none"> ▪ Current primary standards are adequate. ▪ No secondary standard should be set for CO at this time. <p>Also revises CO ambient air monitoring requirements, including those related to network design, and updates aspects of the federal reference method. Effective 10/31/2011. RIN 2060-AI43</p>	
FED090911-3	Air SIP-PM _{2.5}	09/01/2011	76 FR 54463	Notice	<p>U.S. Environmental Protection Agency Proposed Consent Decree, Clean Air Act Citizen Suit</p> <p>Announces a proposed consent decree related to plans for meeting applicable 2006 PM_{2.5} NAAQS in several states, including the following:</p> <ul style="list-style-type: none"> ▪ Alabama ▪ Florida ▪ Mississippi ▪ Ohio ▪ New Mexico <p>Comments due 10/03/2011.</p>	
FED090911-4	Hazardous Materials	09/08/2011	76 FR 55583	Final Rule	<p>U.S. Environmental Protection Agency Designation of Hazardous Substances; Designation, Reportable Quantities, and Notification [40 CFR Parts 116 and 302]</p> <p>Deletes three CAS Numbers erroneously included in the CERCLA list of hazardous substances. Effective 09/08/2011.</p>	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED090911-5	Occupational Safety Compressed Gas Cylinders	09/08/2011	76 FR 55736	Notice	Pipeline and Hazardous Materials Safety Administration Safety Advisory: Unauthorized Marking of Compressed Gas Cylinders Announces a safety advisory to notify the public of the unauthorized marking of certain high- and low-pressure compressed gas cylinders, primarily fire extinguishers, by Atlas Fire Protection.	Facilities should be aware of this safety advisory.
FED090911-6	Procurement	08/29/2011	76 FR 53631	Final Rule	U.S. Department of Agriculture BioPreferred Program [7 CFR Parts 2902, 3201, and 3202] Final direct rule relocates the BioPreferred Program from Chapter 29 of 7 CFR to Chapter 32. Effective 10/28/2011. Comments due 09/28/2011. [RIN 0503-AA41]	
FED090911-7	Toxic Substances	08/30/2011	76 FR 53906	Notice	Agency for Toxic Substances and Disease Registry Availability of Final Toxicological Profile for RDX Announces availability of a final toxicological profile on RDX. Further information is available on ATSDR's RDX page.	
FED090911-8	Toxic Substances	09/06/2011	76 FR 54932	Notice Correction	U.S. Environmental Protection Agency TSCA Inventory Update Reporting Modifications; Chemical Data Reporting [40 CFR Parts 704, 710, and 711] Corrects inaccurate section numbers previously published in 76 FR 50815 (08/16/2011). [RIN 2070-AJ43]	
FED090911-9	Toxic Substances 1,4-Dioxane	08/31/2011	76 FR 54225	Notice	U.S. Environmental Protection Agency Draft Toxicological Review of 1,4-Dioxane: In Support of Summary Information on the Integrated Risk Information System (IRIS) Announces a 60-day public comment period and listening session for the external review draft human health assessment titled, " Toxicological Review of 1,4-Dioxane: In Support of Summary Information on the Integrated Risk Information System (IRIS) ." New studies regarding the toxicity of 1,4-dioxane through the inhalation route of exposure are available that were not included in the 1,4-dioxane assessment previously posted on the IRIS database. Comments due 10/31/2011. Listening session is scheduled for 10/18/2011.	
FED090911-10	Toxic Substances n-Butanol	08/31/2011	76 FR 54227	Notice	U.S. Environmental Protection Agency Draft Toxicological Review of n-Butanol: In Support of Summary Information on the Integrated Risk Information System (IRIS) Announces a 60-day public comment period and listening session for the external review draft human health assessment titled, " Toxicological Review of n-Butanol: In Support of Summary Information on the Integrated Risk Information System (IRIS) ." Comments due 10/31/2011. Listening session is scheduled for 10/05/2011.	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED090911-11	Waste Hazardous Waste-CO ₂ Streams	09/09/2011	76 FR 55846	Notice Correction	U.S. Environmental Protection Agency Hazardous Waste Management System: Identification and Listing of Hazardous Waste: Carbon Dioxide (CO ₂) Streams in Geologic Sequestration Activities [40 CFR Parts 260 and 261] Corrects text published at 76 FR 48073 (08/08/2011) for proposed revisions to the regulations for hazardous waste management to conditionally exclude CO ₂ streams that are hazardous from the definition of hazardous waste. [RIN 2050-AG60]	
FED090911-12	Water	09/06/2011	76 FR 55060	Notice	U.S. Environmental Protection Agency Aquatic Ecosystems, Water Quality, and Global Change: Challenges of Conducting Multi-Stressor Vulnerability Assessments--Release of Final Report Announces availability of the final report entitled, " Aquatic Ecosystems, Water Quality, and Global Change: Challenges of Conducting Multi-stressor Vulnerability Assessments ." This report focuses on the investigation of the issues and challenges associated with identifying, calculating, and mapping indicators of the relative vulnerability of water quality and aquatic ecosystems in the U.S. and the potential impacts of global change.	

1.2 Other News and Developments

1.2.1 GreenGov Symposium Registration Open

Registration is open for the second annual GreenGov Symposium, to be held in Washington, D.C., from 31 October through 2 November 2011. The conference is intended to bring together leaders from diverse sectors to discuss energy and water efficiency, clean energy, fleet management, waste reduction, green buildings, and greening the supply chain. [Online registration](#) will be open until 24 October 2011. More information about the 2011 GreenGov Symposium can be found at the GreenGov [website](#).

1.2.2 National Federal Facilities Compliance and Enforcement

EPA has released its [National Federal Facilities Compliance and Enforcement Fiscal Year \(FY\) 2012 Program Agenda](#), which details the focus of EPA's federal facilities compliance and enforcement activities for FY 2012. The agenda addresses the following areas:

- Integrated Strategies
- Enforcement
- Monitoring
- Compliance Assistance
- Cleanup and Restoration
- Data Quality and Reporting

More information regarding compliance and enforcement at federal facilities can be found on EPA's [website](#).

1.2.3 Memorandum on Federal Facility Five-Year Reviews

On 1 August 2011, EPA released a [memorandum](#) providing information about the federal facility program priorities for five-year reviews. The memorandum describes the following:

- Management controls that will be implemented such that recommendations in five-year review reports are tracked, monitored, and implemented
- Guidance to remedial project managers such that the reviews are completed on time
- EPA's independent decision regarding protectiveness
- Five-year reviews enforceable under Federal Facility Agreements

Five-year reviews are required under Section 121 (c) of CERCLA. If hazardous substances, pollutants, or contaminants remain at a site for 5 years after implementation of a remedial action, a five-year review is performed to evaluate whether human health and the environment are being protected by the remedial action being implemented. For federal facility sites listed on the National Priorities List, five-year reviews are conducted by the federal agency, but EPA retains final authority over whether the five-year review adequately addresses the protectiveness of remedies. EPA reports annually to Congress regarding sites that have completed the five-year review and the protectiveness of the remedies.

More information about the five-year review process can be found on the EPA [website](#).

1.2.4 Online Training and Workshops

Upcoming online training and workshops that may be of interest to federal facilities are as follows:

- [U.S. EPA National Enforcement Training Institute](#)—Webinar topics include pesticide regulation and enforcement, Emergency Planning and Community Right-to-Know Act, and hazardous waste management.
- [U.S. EPA "Ask the Inspector" Workshop](#)—The webinar will provide a framework to deal with many of the NPDES and stormwater compliance issues affecting the federal sector.
- [Interstate Technology and Regulatory Council](#)—Several training course topics are available including training on LNAPLs. The course addresses understanding and characterizing LNAPLs, as well as evaluating LNAPL remediation technology. LNAPLs are organic liquids such as gasoline, diesel, and other petroleum hydrocarbon products that are immiscible with water and less dense than water.
- [EnergyStar](#)—Several training courses are available, including a course on using the Guiding Principles Checklist in Portfolio Manager to:
 - Conduct initial and final building walkthrough assessments.
 - Track and easily view progress on each Guiding Principle.
 - Upload compliance documents to the repository for record-keeping.
 - Create a portfolio-wide federal building sustainability roll-up report.
 - Review up-to-date energy and water metrics generated by Portfolio Manager.
- [U.S. Department of Agriculture](#)—Several training courses available such as an introductory course on the responsibilities under the BioPreferred Federal Procurement Preference Training.

- [U.S. EPA's Federal Green Challenge \(FGC\)](#)—In this webinar, EPA will provide a general overview on what the FGC is, how to join, typical outcomes, and how to find the necessary information to help facilities reduce GHG emissions by 5 percent per year in these six categories: energy, water, waste, transportation, electronics, and purchasing. The Federal Green Challenge supports Executive Order 13514.

1.3 NASA Regulatory Communication Working Group Updates

Regulatory Communication Working Group calls in 2011 will be held on the following Wednesdays at 12 p.m. CT:

- 21 September
- 19 October
- 16 November

2.0 State Regulatory Reviews

The following sections provide details about the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Alabama.

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in California.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA090911-1	Air AB 32	09/02/2011	CRNR 2011, 35z, p. 1404	Notice Hearing	Air Resources Board AB 32 Fee Regulation [17 CCR 95200-95207] Announces a public hearing to consider amendments to California's existing AB 32 Cost of Implementation Fee Regulation. Public hearing is scheduled for 10/20/2011 in Sacramento, California. Further information is available on ARB's rulemaking website .	
CA090911-2	Air GHGs	09/02/2011	CRNR 2011, 35z, p. 1407	Notice Hearing	Air Resources Board Mandatory Commercial Waste Recycling [17 CCR 95620-5] Announces a public hearing to consider a new regulation to reduce GHG emissions by requiring businesses, certain multifamily residences, and public entities to recycle commercial solid waste material. Public hearing is scheduled for 10/20/2011 in Sacramento, California. Further information is available on ARB's rulemaking website .	
CA090911-3	Air Reformulated Gasoline	09/02/2011	CRNR 2011, 35z, p. 1393	Notice Hearing	Air Resources Board California Phase 3 Reformulated Gasoline [13 CCR 2008, 2260-1, 2264-6, and 2271] Announces a public hearing to consider adoption of amendments to the CaRFG Regulations. The proposed amendments would: <ul style="list-style-type: none"> ▪ Help preserve benefits of the Phase 2 CaRFG standards and to correct errors of coefficients in the predictive model ▪ Include other miscellaneous changes to improve consistency, flexibility, and enforceability Public hearing is scheduled for 10/20/2011 in Sacramento, California. Further information is available on ARB's rulemaking website .	
CA090911-4	Air TRUs	09/02/2011	CRNR 2011, 35z, p. 1385	Notice Hearing	Air Resources Board ATCM for In-Use Diesel-Fueled TRU [13 CCR 2477] Announces a public hearing to consider amendments to the regulation affecting TRUs and TRU generator sets. Public hearing is scheduled for 10/20/2011 in Sacramento, California. Further information is available on ARB's rulemaking website . According to the FAQ , for the purposes of this rule, TRU means refrigeration systems powered by integral internal combustion engines designed to control the environment of temperature-sensitive products that are transported in trucks, trailers, railcars, and shipping containers. TRUs may be capable of both cooling and heating.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA090911-5	Occupational Safety	09/09/2011	CRNR 2011, 36z, p. 1483	Final Rule	Occupational Safety and Health Standards Board Definition of Certified Safety Professional [8 CCR 1504, 3207] Adopts a definition of "Certified Safety Professional" for the CSO and GISO. Effective 09/28/2011.	
CA090911-6	Species Arctostaphylos franciscana	09/08/2011	76 FR 55623	Notice	U.S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; 12-Month Petition Finding and Proposed Listing of <i>Arctostaphylos franciscana</i> as Endangered [50 CFR Part 17] Announces a 12-month finding on a petition to list <i>Arctostaphylos franciscana</i> (San Francisco manzanita) as endangered and proposes to list it as an endangered species. Additional information is available on the Fish and Wildlife Service Species Profile website . Comments due 11/07/2011. [RIN 1018-AX89]	
CA090911-7	Toxic Substances Proposition 65	09/02/2011	CRNR 2011, 35z, p. 1415	Proposed Rule	Office of Environmental Health Hazard Assessment Proposed Amendment of Section 25903 Notice of Violation [27 CCR 25903] Proposes to allow electronic service on the Attorney General's offices for Notices of Violation. Comments due 10/18/2011. Further information, including the ISORs and proposed text, is available on the OEHHA website .	
CA090911-8	Toxic Substances Titanium Dioxide	09/02/2011	CRNR 2011, 35z, p. 1422	Notice	Office of Environmental Health Hazard Assessment A Chemical Listed Known to the State of California to Cause Cancer-Titanium Dioxide Adds titanium dioxide (airborne, unbound particles of respirable size) to the list of chemicals known to the State of California to cause cancer. The listing does not cover titanium dioxide when it remains bound within a product matrix. Effective 09/02/2011.	NASA-related operations using titanium dioxide should be aware of this action.
CA090911-9	Water	09/08/2011	76 FR 55673	Notice	U.S. Environmental Protection Agency Vulnerability Assessments in Support of the Climate Ready Estuaries Program: A Novel Approach Using Expert Judgment, Volume I: Results for the San Francisco Estuary Partnership and Volume II: Results for the Massachusetts Bays Program Announces availability of draft documents, including one titled, " Vulnerability Assessments in Support of the Climate Ready Estuaries Program: A Novel Approach Using Expert Judgment, Volume I: Results for the San Francisco Estuary Partnership ." Further information is available on EPA's website . Comments due 10/11/2011.	

2.2.1 ARB Time Period of Legal Use of Certified Abrasive

ARB has clarified the time period during which an abrasive certified for permissible dry outdoor use can be used. An abrasive that is sold by its producer or vendor during the certified period is certified for use until it is gone. The [legal opinion](#) on this issue is available and further information can be found on the [ARB website](#).

2.2.2 ARB 2011 Annual Research Plan

A public meeting is scheduled for 22 September 2011 to consider approval of the [ARB's 2011 Annual Research Plan](#). Comments are due 21 September 2011.

2.2.3 Truck and Bus Fleet Calculator

ARB has updated the fleet calculator on its website based on the rule revisions adopted by the Board on 10 December 2010. The calculator assists regulated entities to comply with the Truck and Bus Rule by allowing them to review various compliance strategy approaches to select an approach that best suits their operations. This revised compliance tool is available on the ARB [website](#).

2.2.4 Waste Containing Chemically Treated Wood

Chemically treated wood in California requires proper disposal under Assembly Bill 1353, which took effect on 1 January 2005. This requirement has alternate disposal methods available for handlers of treated wood waste. DTSC is responsible for overseeing that these requirements are met and has released a report of those findings on its [website](#).

2.2.5 California Air Districts Regulatory Review

2.2.5.1 *Antelope Valley Air Quality Management District*

No regulatory items of interest were identified during this reporting period for the [Antelope Valley Air Quality Management District](#).

2.2.5.2 *Bay Area Air Quality Management District*

No regulatory items of interest were identified during this reporting period for the [Bay Area Air Quality Management District](#).

2.2.5.3 *Eastern Kern Air Pollution Control District*

No regulatory items of interest were identified during this reporting period for the [Eastern Kern Air Pollution Control District](#).

2.2.5.4 *Mojave Desert Air Quality Management District*

No regulatory items of interest were identified during this reporting period for the [Mojave Desert Air Quality Management District](#).

2.2.5.5 South Coast Air Quality Management District

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in the [South Coast Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAS090911-1	Air Engines	08/31/2011	SCAQMD Website	Proposed Rule	<p>South Coast Air Quality Management District Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines [Rule 1470]</p> <p>Proposes the revision of PM and NO_x emission limits for stationary emergency engines by:</p> <ul style="list-style-type: none"> Revising applicability of Tier 4 PM emission limits for stationary emergency engines, not fire pumps or flood control engines, installed after 01/01/2012 within 100 meters of sensitive receptor. Eliminates after-treatment-based Tier 4 NO_x emission limits for stationary engines installed on or after 01/01/2011. Incorporates by reference ARB stationary diesel ATCM for engines less than or equal to 50 hp. <p>Public hearing is scheduled for 10/07/2011 in Los Angeles, California. Comments due 09/27/2011.</p>	
CAS090911-2	Air SIP-PM _{2.5}	08/26/2011	SCAQMD Website	Notice	<p>South Coast Air Quality Management District Revisions to the PM_{2.5} State Implementation Plan for the South Coast Air Basin [40 CFR Part 52]</p> <p>Announces a public hearing to discuss the release of a revised SIP for PM_{2.5} that includes proposed contingency measures:</p> <ul style="list-style-type: none"> Equivalent emission reductions through improved air quality Committed emission reductions beyond 2007 PM_{2.5} SIP revision Quantification of excess emission reductions not included in the 2007 PM_{2.5} SIP <p>SIP would also propose an option under which SCAQMD could work with ARB on a "fair share" backstop emission reduction proposal to address federal sources, if needed. Public hearing is scheduled for 10/07/2011 in Los Angeles, California. Comments due 09/27/2011.</p>	
CAS090911-3	Air SIP-VOC	09/01/2011	76 FR 54384	Notice	<p>U.S. Environmental Protection Agency California State Implementation Plan, South Coast Air Quality Management District; Withdrawal of Direct Final Rule</p> <p>Withdraws direct final rule (76 FR 41717, 07/15/2011) in which EPA approved revisions to the SIP related to Rule 1143, Consumer Paint Thinner and Multi-Purpose Solvents and Rule 1144, Metal Working Fluids & Direct-Contact Lubricants. This rulemaking will continue and a final rule will be published in the future. Effective 09/13/2011.</p>	NASA operations should be aware of this action.

2.2.5.6 Ventura County Air Pollution Control District

No regulatory items of interest were identified during this reporting period for the [Ventura County Air Pollution Control District](#).

2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL090911-1	Air NAAQS-Lead	09/09/2011	FAW Notice #10380084	Notice Hearing	Florida Department of Environmental Protection Division of Air Resources Management Announces hearing to consider FDEP's proposal that Florida should comply with EPA's 2008 revised lead NAAQS implementation requirements. Hearing is scheduled for 10/13/2011 in Tallahassee, Florida. Comments due 10/10/2011.	
FL090911-2	Quality Assurance	09/09/2011	FAW Notice #10369899	Notice Rulemaking	Florida Department of Environmental Protection Quality Assurance [Chapter 62-160, F.A.C.] Announces a proposed rulemaking to address the following: <ul style="list-style-type: none"> ▪ Routine updates to the FDEP field and laboratory SOPs ▪ Enhancements to the FDEP document entitled "Process for Assessing Data Usability" Workshops are scheduled as follow: <ul style="list-style-type: none"> ▪ 10/18/2011 in West Palm Beach, Florida ▪ 10/19/2011 Temple Terrace, Florida ▪ 10/20/2011 in Tallahassee, Florida 	
FL090911-3	Waste Hazardous Waste	09/02/2011	FAW Notice #10046986	Proposed Rule	Florida Department of Environmental Protection Hazardous Waste Rule [Chapter 62-730, F.A.C.] Proposes to amend Chapter 62-730, F.A.C., to incorporate by reference changes made by EPA between 07/01/2009 and 06/30/2010 to the federal hazardous waste regulations. Proposed rule text is available for review. Comments due 09/23/2011.	
FL090911-4	Water Drinking Water	09/02/2011	FAW Notice #10027004	Notice	Florida Department of Environmental Protection Drinking Water, Standards, Monitoring, and Reporting [Chapter 62-550 F.A.C.] Withdraws the proposed rule published in FAW Notice #9321232 (11/19/2010).	
FL090911-5	Water Drinking Water	09/02/2011	FAW Notice #10027198	Notice	Florida Department of Environmental Protection Requirements for Public Water Systems That Are Out of Compliance [Chapter 62-560 F.A.C.] Withdraws the proposed rule published in FAW Notice #9324433 (11/19/2010).	
FL090911-6	Water TMDLs	09/09/2011	FAW Notice #10376689	Notice Meeting	Florida Department of Environmental Protection North Indian River Lagoon Basin Management Action Plan Announces a meeting to discuss reductions in total nitrogen and total phosphorus from water quality improvement projects related to the North Indian River Lagoon Basin Management Action Plan. Meeting is scheduled for 09/21/2011 in Cocoa, Florida.	

2.4 Louisiana State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Louisiana.

2.5 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Maryland.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD090911-1	Air Fuel-burning Equipment	09/09/2011	38:19 Md.R. 1148	Final Rule	<p>Department of the Environment</p> <p>Control of Fuel-Burning Equipment, Stationary Internal Combustion Engines, and Certain Fuel-Burning Installations [COMAR 26.11.09.01,.02, and .10]</p> <p>Adopts amendments to regulations that affect fuel-burning equipment and other facilities that currently burn or propose to burn used oil or WCF. Amendments include the following:</p> <ul style="list-style-type: none"> ▪ Limit burning of used oil to fuel-burning equipment that burns fuel oil. ▪ Require a permit to construct or other authorization for fuel-burning equipment that will burn on-specification used oil if it has a rated heat input capacity of 50 million Btu or more. ▪ Require a permit-to-construct application for installations that propose to burn WCF or off-specification used oil. ▪ Ensure that WCF is burned in an authorized installation. <p>Effective date 09/19/2011.</p>	
MD090911-2	Air SIP-Ozone	09/09/2011	38:19 Md.R. 1179	Notice Hearing	<p>Department of the Environment</p> <p>Notice of Public Hearing on Air Quality Plan</p> <p>Announces a public hearing concerning proposed revisions to the Maryland RACT SIP for the 1997 8-hour ozone standard. Public hearing is scheduled for 09/27/2011 in Baltimore, Maryland. Comments due 09/27/2011.</p>	
MD090911-3	Radiation Control	09/09/2011	38:19 Md.R. 1148	Final Rule	<p>Department of the Environment</p> <p>Radiation Protection [COMAR 26.12.01]</p> <p>Adopts, by reference, Supplement 20 of the Regulations for the Control of Ionizing Radiation (1994), which includes regulations for the following:</p> <ul style="list-style-type: none"> ▪ Use of radiopharmaceuticals in mobile medical services ▪ Licensing of radium-226, accelerator-produced radioactive materials, and naturally occurring radioactive materials ▪ Determination of occupational radiation dose and reporting requirements ▪ Labeling of radioactive material containers <p>Effective date 09/19/2011.</p>	

2.6 Mississippi State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Mississippi.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MS090911-1	Waste Hazardous Waste	08/29/2011	MAB #18052	Final Rule	<p>Mississippi Department of Environmental Quality Mississippi Hazardous Waste Management Regulations [HW-1]</p> <p>Amends the Hazardous Waste Regulations by revising the definition of solid waste. Modifications include the following:</p> <ul style="list-style-type: none"> Excludes certain hazardous secondary materials. Adds a new exclusion for comparable fuels and synthesis gas. Withdraws the conditional exclusion for emission comparable fuels. Removes saccharin and its salts from the lists of hazardous constituents and commercial chemical products. Corrects an alternative set of hazardous waste generator requirements. <p>Effective 08/29/2011.</p>	

2.7 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in New Mexico.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM090911-1	Air GHG-Reduction Program	08/31/2011	NM Register Vol. 22, No. 16	Notice	<p>Environmental Improvement Board Greenhouse Gas Reduction Program [20.2.100 NMAC].</p> <p>Announces a public hearing to consider the proposed repeal of the Greenhouse Gas Reduction Program. Hearing is scheduled for 12/05/2011 in Santa Fe, New Mexico. Comments due 12/05/2011.</p>	
NM090911-2	Air GHG-Reporting and Verification	08/31/2011	NM Register Vol. 22, No. 16	Notice Hearing	<p>Environmental Improvement Board Greenhouse Gas Cap and Trade Program [20.2.300], Greenhouse Gas Reporting – Verification Requirements [20.2.301 NMAC], and the Greenhouse Gas Reporting and Verification Requirements [20.2.350 NMAC]</p> <p>Announces a public hearing to consider the proposed repeal of the Greenhouse Gas Cap and Trade Program, and the Greenhouse Gas Reporting and Verification Requirements. Hearing is scheduled for 11/08/2011 in Santa Fe, New Mexico. Comments due 11/08/2011.</p>	

2.8 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Ohio.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH090911-1	Air SIP-Lead	09/07/2011	DAPC Website-What's New	Notice	Division of Air Quality, Ohio Environmental Protection Agency Availability of Statewide Lead Infrastructure State Implementation Plan for Comment Announces the availability of a draft of the Approval Request for the Infrastructure State Implementation Plan for the State of Ohio . This document confirms that OEPA continues to retain the resources necessary to conduct the following actions: <ul style="list-style-type: none"> Evaluate ambient air quality. Develop plans to attain new and existing ambient air quality standards. Run a complete new source review program. Effectively enforce applicable requirements. Further details, including the public notice , are located on the OEPA website . Public hearing is scheduled for 10/11/2011 at the OEPA Offices, Columbus, Ohio. Comments due 10/11/2011.	
OH090911-2	Waste Hazardous Waste	08/18/2011	Public Notice	Notice	Division of Materials and Hazardous Waste, Ohio Environmental Protection Agency NASA Plum Brook Station Closure Plan Approval Announces approval of a Closure Plan for NASA Plum Brook Station for a former underground storage tank (#23) at the Reactor Area.	Plum Brook Station should be aware of this action.
OH090911-3	Waste Hazardous Waste	09/02/2011	DMHW-Rules and Laws	Proposed Rule	Division of Materials and Hazardous Waste, Ohio Environmental Protection Agency Cessation of Regulated Operations Draft Rules [OAC 3745-352] Proposes minor revisions to OEPA's Cessation of Regulated Operations rules. Further details, including the interested party letter and draft rules , are located on the OEPA website . Comments due 09/20/2011.	

2.9 Texas State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Texas.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX090911-1	Air SIP-PM ₁₀	09/02/2011	36 TexReg 5640	Proposed Rule	Texas Commission on Environmental Quality Permit By Rule [30 TAC 111.147] Proposes alternative control measures to reduce PM ₁₀ emissions in the El Paso area for inclusion in the El Paso SIP and the MOA between the city and TCEQ. Hearing is scheduled for 09/27/2011 in El Paso, Texas. Comments due 10/03/2011.	

2.10 Utah State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Utah.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT090911-1	Air NAAQS-PM ₁₀	09/01/2011	UT Bull. Vol. 2011-17: sn151385	Notice	Utah Department of Environmental Quality: Division of Air Quality Notice of Public Comment Period: High Wind Exceptional Events- Event Dates: 03/04/2009 Announces a 30-day public comment period for review of the Utah Division of Air Quality PM₁₀ Exceptional Wind Event, Lindon Air Station, Event Date - March 4, 2009 . Comments due 10/03/2011.	

2.11 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Virginia.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA090911-1	Air Permitting	09/02/2011	76 FR 54706	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Permits for Major Stationary Sources and Major Modifications Locating in Prevention of Significant Deterioration Areas [40 CFR Part 52] Establishes the addition of NO _x as a precursor to ozone for permits of major stationary sources or major modifications locating in PSD areas. Effective 10/03/2011.	
VA090911-2	Natural Resources Coastal Zone Management	08/29/2011	VDEQ Website	Notice	Virginia Department of Environmental Quality NOAA National Environmental Satellite, Data and Information Service VDEQ is reviewing a proposed project that includes electrical upgrades as well as construction of a powerhouse building at the National Environmental Satellite, Data and Information Service site located at the Wallops Command and Data Acquisition Station at WFF to determine whether it is consistent with the VCP. Comments due 09/15/2011.	WFF should be aware of this action.
VA090911-3	Pesticides	08/29/2011	27:26 VA.R. 2735	Proposed Rule	Virginia Department of Agriculture Pesticide Control Board Regulations Governing Pesticide Applicator Certification under Authority of Virginia Pesticide Control Act [9VAC20-51] Proposes to exempt cotton boll weevil or gypsy moth trappers working for the USDA from having to obtain or hold a pesticide applicator certification. Public meeting is scheduled for 10/20/2011 in Richmond, Virginia.	
VA090911-4	Waste Forms	08/29/2011	27:26 VA.R. 2795	Notice	Virginia Department of Environmental Quality Virginia Waste Management Board Solid Waste Management Permit Action Fees and Annual Fees [9VAC20-90] Updates form PF001, Solid Waste Annual Permit Fee Quarter Payment Form , used for quarterly payments by facilities with annual fees greater than \$8,000.	

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA090911-5	Water Stormwater	08/29/2011	27:26 VA.R. 2738-2790	Final Rule	<p>Virginia Department of Conservation and Natural Resources Soil and Water Conservation Board</p> <p>VSMP Regulations [4VAC50-60]</p> <p>Final rule accounts for the following changes:</p> <ul style="list-style-type: none"> Amends the technical criteria applicable to stormwater discharges from construction activities. Establishes minimum criteria for locality- and department-administered stormwater management programs. Specifies local authorization and review procedures for local stormwater management programs. Amends applicable definitions. <p>Effective 09/13/2011.</p>	
VA090911-6	Water VPDES	08/29/2011	27:26 VA.R. 2797	Final Rule	<p>Virginia Department of Environmental Quality State Water Control Board</p> <p>VPDES Permit Regulation [9VAC25-31], VPDES Permit for Discharges Associated with Industrial Activity [9VAC25-151]</p> <p>Updates regulations to incorporate recodified solid waste management regulations. Effective 09/28/2011.</p>	
VA090911-7	Water VPDES- Pesticides	08/29/2011	27:26 VA.R. 2836-2855	Final Rule	<p>Virginia Department of Environmental Quality State Water Control Board</p> <p>VPDES General Permit for Discharges Resulting from the Application of Pesticides to Surface Waters [9VAC25-800]</p> <p>Adopts the VPDES general permit for discharges of pesticides applied directly to surface waters to control pests, or applied to control pests that are in, over, or near surface waters. Effective 10/31/2011.</p>	